WRITTEN ANSWERS TO STARRED QUESTIONS

Prior approval to initiate case against senior officials

†*202. SHRI SHIVANAND TIWARI:
SHRI RAJ MOHINDER SINGH MAJITHA:
Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that now prior approval is not required to initiate a case against officials on higher posts in administration;

(b) if so, the facts in this regard; and

(c) the number of cases under consideration upto October, 2009 which are to be given approval?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI PRITHVIRAJ CHAVAN): (a) to (c): A statement is laid on the Table of the Sabha.

Statement

(a) and (b) No, Sir. Prior approval under Section 6A of the Delhi Special Police Establishment Act, 1946 is required to conduct inquiry or investigation against officers of Joint Secretary and above in the Central Government. However, such approval is not necessary in cases involving arrest of a person on the spot on the charge of accepting illegal gratification. Section 19(1) of the Prevention of Corruption Act, 1988 and Section 197(1) of the Criminal Procedure Code, 1973, provide for previous sanction for prosecution of public servant.

(c) As per information received from the CBI, the number of cases seeking prior approval to conduct inquiry or investigation against senior officials on higher posts under consideration upto October, 2009 is 9. A total of 162 cases are pending for prosecution sanction as on 31.10.2009; 142 with Central Government and 23 with State Governments. In 3 cases prosecution sanction is required from both the Central and State Governments. Of these 162 cases, 90 cases are pending for less than three months.

Moon mission

*208. SHRI RAJKUMAR DHOOT: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that after the spacecraft Chandrayaan's discovery of water in some form on the surface of moon, NASA's Mission Attack Moon's spacecraft LCROSS was allowed to be crashed into the Moon on 9th October, 2009 and the dust and other particles unleashed by the collision were collected by LCROSS, in an analyzer after four minutes;

(b) if so, the results of the analysis and whether moon could be considered to be habitable in the light of the Chandrayaan-I/ LCROSS Missions; and

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†Original notice of the question was received in Hindi

(c) whether India would play a role in the determination of property rights on the Moon?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI PRITHVIRAJ CHAVAN): (a) In recent past, the different countries namely Japan, China, India, and USA had planned their own lunar missions independently. The USA's combined lunar mission, comprising of Lunar Reconnaissance Orbiter (LRO) and Lunar CRater and Observation Sensing Satellite - LCROSS- was originally planned to orbit as well as impact/crash on the lunar surface. The analysis of the data collected from this mission has also confirmed the presence of water on the moon.

(b) Based on the analysis of the results of the Chandrayaan-I and LCROSS, at this point of time, it would not be possible to consider the moon to be habitable.

(c) With the current global understanding and as per the UN Treaties on Outer Space Activities, the outer space, moon and other celestial bodies are common to the entire humankind for exploration. Accordingly, at this point of time, the determination of the property rights on the moon does not arise.

Separate visa for J&K people

†*209. SHRI PRABHAT JHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the practice of issuing visa on a separate sheet to Kashmiris, treating Kashmir as a separate country, by China has been continuing for the last five years;

(b) if so, the details thereof and the time when this fact came to the notice of Government and steps taken by the Government to counter it; and

(c) the reasons for the failure of his Ministry and Immigration officials in stopping thousands of Kashmiris from going to China and whether it is not indicative of gross negligence on the part of the Ministry?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S. M. KRISHNA): (a) to (c) Government is aware that since 2008 China is issuing visas on a separate paper that is stapled to the passports of Indian nationals from the State of Jammu & Kashmir. Government has taken necessary action, including issuing an advisory stating that such visas are not considered valid for travel out of the country. Government's position that there should be no discrimination against visa applicants of Indian nationality on grounds of domicile and ethnicity has also been clearly conveyed to the Chinese Government.

National Frequency Management Board

*210. SHRI NANDAMURI HARIKRISHNA:
SHRI M.V. MYSURA REDDY:

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

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†Original notice of the question was received in Hindi